

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>03-662</u>
	:	
v.	:	DATE FILED: <u>September 2, 4004</u>
	:	
LAWYAN MOORE	:	VIOLATIONS:
	:	21 U.S.C. § 841(a)(1) (possession with intent to
	:	distribute a controlled substance (cocaine base) -
	:	1 count)
	:	18 U.S.C. § 924(c)(1)(A) (carrying a firearm
	:	during and in relation to a drug trafficking
	:	offense - 1 count)
	:	18 U.S.C. § 922(g)(1) (felon in possession of a
	:	firearm - 1 count)
	:	Notices of additional factors
	:	Notice of forfeiture
	:	Notice of prior convictions

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about July 17, 2003, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

LAWYAN MOORE

did knowingly and intentionally possess with the intent to distribute more than 50 grams, that is approximately 95.08 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 17, 2003, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

LAWYAN MOORE

knowingly carried a firearm, that is, a Hi-Point, Model C9, 9mm Lugar, semi-automatic pistol, serial number P129163, loaded with 7 live rounds, during and in relation to a drug trafficking crime for which he may be prosecuted in a Court of the United States, that is, possession with the intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as charged in Count One of this superseding indictment.

In violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 17, 2003, at Philadelphia, in the Eastern District of Pennsylvania,
defendant

LAWYAN MOORE,

having been convicted in a court of the State of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting commerce, a firearm, that is, a Hi-Point, Model C9, 9mm Luger, semi-automatic pistol, serial number P129163, loaded with 7 live rounds.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count One of this superseding indictment, defendant **LAWYAN MOORE**:
 - a. Committed an offense in which a dangerous weapon (including a firearm) was possessed, as described in U.S.S.G. § 2D1.1(b)(1).
 - b. Committed an offense and relevant conduct involving more than 50 grams of cocaine base, as described in U.S.S.G. § 2D1.1(c)(4).
 - c. Committed the instant offense while under a criminal justice sentence, that is, probation, as defined by U.S.S.G. § 4A1.1(d).
 - d. Was a career offender, as defined by U.S.S.G. § 4B1.1.

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count Two of this superseding indictment, defendant **LAWYAN MOORE**:

a. Committed the instant offense while under a criminal justice sentence, that is, probation, as defined by U.S.S.G. § 4A1.1(d).

b. Was a career offender, as defined by U.S.S.G. § 4B1.1.

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count Three of this superseding indictment, defendant **LAWYAN MOORE**:

a. Used and possessed any firearm and ammunition in connection with another felony offense, as described in U.S.S.G. § 2K2.1(b)(5).

b. Used and possessed any firearm and ammunition in connection with the commission and attempted commission of another offense, as described in U.S.S.G. § 2K2.1(c)(1).

c. Committed the instant offense while under a criminal justice sentence, that is, probation, as defined by U.S.S.G. § 4A1.1(d).

d. Was a career offender, as defined by U.S.S.G. § 4B1.1.

NOTICE OF FORFEITURE

1. As a result of the violations of Title 21, United States Code, Section 841(a)(1) set forth in Count One of this superseding indictment, the defendant,

LAWYAN MOORE

shall forfeit to the United States under Title 21, United States Code, Section 853:

- (a) any and all real and/or personal property which the defendant used in any manner or part to facilitate the commission of the violations of Title 21, United States Code as charged in this superseding indictment, including but not limited to; a Hi-Point, Model C9, 9mm Luger, semi-automatic pistol, serial number P129163, loaded with 7 live rounds.
- (b) any and all real and/or personal property constituting, or derived from, any proceeds obtained directly or indirectly as the result of the violation of Title 21, United States Code as charged in this superseding indictment.

2. If any of the property subject to forfeiture, as a result of any act or commission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, section 853(p), to seek forfeiture of any other property of said defendants up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

NOTICE OF PRIOR CONVICTIONS

Defendant **LAWYAN MOORE** committed the offenses charged in this superseding indictment after having been convicted in a court of the United States of violent felony or felony drug trafficking offenses as follows:

1. Robbery - Philadelphia Court of Common Pleas; CP #9010-4971.
2. Robbery - Philadelphia Court of Common Pleas; CP #9102-1353.
3. Possession with intent to distribute a controlled substance - Philadelphia Court of Common Pleas; CP #9103-2404.

_____ **A TRUE BILL:**

FOREPERSON

PATRICK L. MEEHAN
United States Attorney